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Notice of Allowability

Application No.

10/789,166

Examiner

R. Alexander Smith

Applicant(s)

BRADY, JOHN R.

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the after final amendment filed on 6 February 2006.
2. ☒ The allowed claim(s) is/are 1-36 and 38-65.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Reasons for Allowance

The following is an examiner's statement of reasons for allowance of claims 1-36 and 38-65.

For independent claim 1 the prior art of record does not disclose or clearly suggest a transparent device having at least one window extending through the planar structure wherein an elongate edge of the window extends substantially perpendicularly to an elongate direction of the planar structure, and a seam allowance guide to be movably attached to the planar structure at the window in combination with the remaining limitations of the claim.

Claims 2-7 and 30-33 are allowed due to their dependency on allowed claim 1.

For independent claim 8 the prior art of record does not disclose or clearly suggest a transparent device having a seam allowance guide comprising a lower guide bar and an upper guide bar operative to rotate about an elongate axis of the lower guide bar over the planar structure in combination with the remaining limitations of the claim.

Claims 9-29 are allowed due to their dependency on allowed claim 8.

For independent claim 34 the prior art of record does not disclose or clearly suggest a transparent device having at least one handle inserted through one of the windows, the handle

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comprising a finger grip portion at the upper surface, a disc portion placed at the lower surface and a tether or string interconnecting the finger grip portion and the disc portion in combination with the remaining limitations of the claim.

Claims 34 and 36 are allowed due to their dependency on allowed claim 34.

For independent claim 38 the prior art of record does not disclose or clearly suggest a transparent device having an angle guide which includes an elongate tab to be placed under the planar structure, a protractor member to be placed on the upper surface and a pair of connecting structures extending through the planar structure to rotatably connect the tab and the protractor member in combination with the remaining limitations of the claim.

Claims 39-42 are allowed due to their dependency on allowed claim 38.

For independent claim 43 the prior art of record does not disclose or clearly suggest a transparent device having a plurality of transparent markings wherein each marking includes an elongate raised rib having a distal end having a surface area different from that of the proximal end in combination with the remaining limitations of the claim.

Claims 44-57 are allowed due to their dependency on allowed claim 43.

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For independent claim 58 the prior art of record does not disclose or clearly suggest a seem allowance guide attachable to a measuring device that includes at least one window, said guide comprising a lower guide bar to be placed transversely under the window, the lower guide bar including an elongate measuring edge, and an upper guide bar operative to rotate in combination with the remaining limitations of the claim.

Claims 59-65 are allowed due to their dependency on allowed claim 58.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to R. Alexander Smith whose telephone number is 571-272-2251. The examiner can normally be reached on Monday through Friday from 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'R. Alexander Smith', with a large, stylized 'A' at the end.

R. Alexander Smith
Primary Examiner
Technology Center 2800

RAS
February 14, 2006